

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HARBINGER CAPITAL PARTNERS MASTER FUND I, LTD.; AURELIUS CAPITAL MASTER, LTD.; AURELIUS CAPITAL PARTNERS, LP; ARROW DISTRESSED SECURITIES FUND; SCHULTZE MASTER FUND, LTD.; LATIGO MASTER FUND, LTD.; UBS WILLOW FUND, LLC; MISSOURI STATE EMPLOYEES' RETIREMENT SYSTEM; BLACKROCK GLOBAL FLOATING RATE INCOME TRUST; BLACKROCK LIMITED DURATION INCOME TRUST; BLACKROCK SENIOR INCOME SERIES; BLACKROCK SENIOR INCOME SERIES II; BLACKROCK SENIOR INCOME SERIES III PLC; MAGNETITE V CLO, LIMITED; BLACKROCK SENIOR LOAN PORTFOLIO; HARCH CLO II, LTD.; and RZB FINANCE LLC,

Plaintiffs,

-against-

WACHOVIA CAPITAL MARKETS, LLC d/b/a WACHOVIA SECURITIES; BDO SEIDMAN, LLP; GREGORY J. PODLUCKY; and ROBERT LYNN,

Defendants.

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07-CV-08139 (DC)

FILED  
U.S. DISTRICT COURT  
2007 NOV -6 PM 2:20  
S.D. OF N.Y.

MOTION TO ADMIT COUNSEL  
PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, James G. Markey, a member in good standing of the bar of this Court hereby move for an Order allowing the admission pro hac vice of:

Applicant's Name: JOHN P. LACHER

Firm Name: Robert O Lampl  
Address: 960 Penn Avenue, Suite 1200  
City/State/Zip: Pittsburgh, PA 15222  
Tel. No: (412) 392-0330  
Fax No: (412) 392-0335  
Email Address: jlacher@lampllaw.com

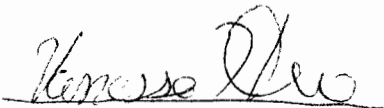
JOHN P. LACHER is a member in good standing of the Bar of the State of Pennsylvania. There are no disciplinary proceedings against JOHN P. LACHER in any State or Federal Court. A current Certificate of Good Standing for JOHN P. LACHER is attached hereto.

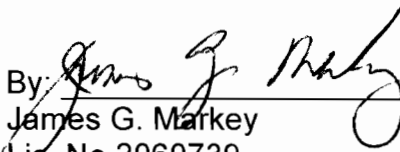
Dated: November 5, 2007

Respectfully submitted,

DUANE MORRIS, LLP

VANESSA HEW  
Notary Public, State of New York  
No. 02HE6122207  
Qualified in New York County  
Commission Expires Feb. 7, 2008



By:   
James G. Markey  
Lic. No. 2060739

DUANE MORRIS, LLP  
1540 Broadway  
New York, NY 10036-4086  
(212) 692-1086 – phone  
(212) 692-1020 - fax

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**HARBINGER CAPITAL PARTNERS MASTER FUND I, LTD.; AURELIUS CAPITAL MASTER, LTD.; AURELIUS CAPITAL PARTNERS, LP; ARROW DISTRESSED SECURITIES FUND; SCHULTZE MASTER FUND, LTD.; LATIGO MASTER FUND, LTD.; UBS WILLOW FUND, LLC; MISSOURI STATE EMPLOYEES' RETIREMENT SYSTEM; BLACKROCK GLOBAL FLOATING RATE INCOME TRUST; BLACKROCK LIMITED DURATION INCOME TRUST; BLACKROCK SENIOR INCOME SERIES; BLACKROCK SENIOR INCOME SERIES II; BLACKROCK SENIOR INCOME SERIES III PLC; MAGNETITE V CLO, LIMITED; BLACKROCK SENIOR LOAN PORTFOLIO; HARCH CLO II, LTD.; and RZB FINANCE LLC,**

**Plaintiffs,**

**-against-**

**WACHOVIA CAPITAL MARKETS, LLC d/b/a WACHOVIA SECURITIES; BDO SEIDMAN, LLP; GREGORY J. PODLUCKY; and ROBERT LYNN,**

**Defendants.**

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**07-CV-08139 (DC)**

**AFFIDAVIT OF JAMES G.  
MARKEY IN SUPPORT OF  
MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

**STATE OF NEW YORK     )  
                                  SS.:  
COUNTY OF NEW YORK )**

James G. Markey, being duly sworn, hereby deposes and says as follows:

1. I am a partner with the law firm of Duane Morris, which is not involved in the above-captioned action. I make this statement based upon my personal knowledge

of the facts set forth herein in support of Defendant Gregory J. Podlucky's motion to admit John P. Lacher as counsel pro hac vice to represent Gregory J. Podlucky in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice in 1987. I am also admitted to the bar of the United States District Court for the Southern District of New York since 1994, and am in good standing with this Court.

3. I came into contact with John P. Lacher through the efforts of George M. Medved, Managing Partner of the Duane Morris, LLP Pittsburgh office, where Mr. Medved has had extensive dealings with John P. Lacher and speaks well of his skill, experience and integrity.


4. John P. Lacher has practiced law since 1991, and maintains law offices at 960 Penn Avenue, Suite 1200, Pittsburgh, PA 15222.

5. I believe John P. Lacher to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move the admission of John P. Lacher, pro hac vice.

7. I respectfully submit a proposed order granting the admission of John P. Lacher, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit John P. Lacher, pro hac vice, to represent Defendant Gregory J. Podlucky in the above-captioned matter, be granted.

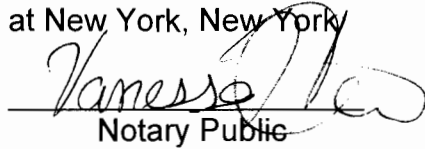


James G. Markey  
Lic. No. 2060739

Sworn to before me this

5<sup>th</sup> day of November, 2007.

at New York, New York

  
Notary Public

VANESSA HEW  
Notary Public, State of New York  
No. 02HE6122207  
Qualified in New York County  
Commission Expires Feb. 7, 2008



Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***John Patrick Lacher, Esq.***

**DATE OF ADMISSION**


***November 25, 1991***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: October 10, 2007**

  
\_\_\_\_\_  
John A. Vaskov, Esq.  
Deputy Prothonotary

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**HARBINGER CAPITAL PARTNERS MASTER  
FUND I, LTD.; AURELIUS CAPITAL MASTER,  
LTD.; AURELIUS CAPITAL PARTNERS, LP;  
ARROW DISTRESSED SECURITIES FUND;  
SCHULTZE MASTER FUND, LTD.; LATIGO  
MASTER FUND, LTD.; UBS WILLOW FUND,  
LLC; MISSOURI STATE EMPLOYEES'  
RETIREMENT SYSTEM; BLACKROCK  
GLOBAL FLOATING RATE INCOME TRUST;  
BLACKROCK LIMITED DURATION INCOME  
TRUST; BLACKROCK SENIOR INCOME  
SERIES; BLACKROCK SENIOR INCOME  
SERIES II; BLACKROCK SENIOR INCOME  
SERIES III PLC; MAGNETITE V CLO,  
LIMITED; BLACKROCK SENIOR LOAN  
PORTFOLIO; HARCH CLO II, LTD.; and RZB  
FINANCE LLC,**

**Plaintiffs,**

**-against-**

**WACHOVIA CAPITAL MARKETS, LLC d/b/a  
WACHOVIA SECURITIES; BDO SEIDMAN,  
LLP; GREGORY J. PODLUCKY; and ROBERT  
LYNN,**

**Defendants.**

**07-CV-08139 (DC)**

**ORDER FOR ADMISSION  
PRO HAC VICE ON  
WRITTEN MOTION**

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Upon the motion of James G. Markey, a member in good standing of the Bar of the State of New York and the Bar of the United States District Court for the Southern District of New York, and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: JOHN P. LACHER

Firm Name: Robert O Lampl

Address: 960 Penn Avenue, Suite 1200

City/State/Zip: Pittsburgh, PA 15222

Tel No: (412) 392-0330

Fax No: (412) 392-0335

Email Address: [jlacher@lampplaw.com](mailto:jlacher@lampplaw.com)

is admitted to practice pro hac vice as counsel for Defendant Gregory J. Podlucky in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for a password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: \_\_\_\_\_, 2007

New York, New York

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The Honorable Denny Chin  
United States District Court Judge



**CERTIFICATE OF SERVICE**

I, James G. Markey, do hereby certify that on the 5<sup>th</sup> day of November, 2007,  
I caused the attached **MOTION TO ADMIT COUNSEL PRO HAC VICE** to be served via  
First Class Mail to the attorneys listed below at their address designated for service of  
papers as follows:

Robert S. Loigman  
Quinn Emanuel Urquhart  
Oliver & Hedges, LLP  
51 Madison Avenue, 22<sup>nd</sup> Floor  
New York, NY 10010

Cary B. Samowitz  
DLA Piper US LLP  
1251 Avenue of the Americas  
New York, NY 10020

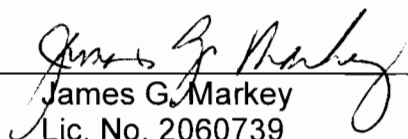
Robert B. Lynn  
3187 Route 711 South  
Ligonier, PA 15658

Harvey Kurzweil  
Dewey & LeBoeuf LLP  
1301 Avenue of the Americas  
New York, NY 10019-6092

Respectfully submitted,

DUANE MORRIS, LLP

By: \_\_\_\_\_

  
James G. Markey  
Lic. No. 2060739